

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA
CHARLESTON DIVISION**

IN RE: ETHICON, INC.,
PELVIC REPAIR SYSTEM
PRODUCTS LIABILITY LITIGATION

MDL NO. 2327

THIS DOCUMENT RELATES TO THE CIVIL ACTION NOS. LISTED ON THE
ATTACHED EXHIBITS:

**JOINT MOTION TO DISMISS DEFENDANT
C.R. BARD, INC. WITH PREJUDICE**

Plaintiffs in the cases listed on the attached Exhibits A-F and Defendant C.R. Bard, Inc. (“Bard”) advise the Court that they have compromised and settled all claims between them in these actions, including all counterclaims, cross-claims and third party claims. Accordingly, Plaintiffs and Bard jointly move the court to dismiss Bard as a defendant in these actions with prejudice, and terminate Bard from the docket in the actions, parties to bear their own costs. Other Defendants remain in these actions, and Plaintiffs will continue to prosecute these actions against them.

Respectfully:

/s/ Richard B. North, Jr.
NELSON MULLINS RILEY & SCARBOROUGH LLP
Atlantic Station, 201 17th Street, NW
Suite 1700
Atlanta, GA 30363
(404) 322-6000

Attorney for Defendant C.R. Bard, Inc.

/s/ Andrew J. Cross

Andrew J. Cross, Missouri Bar No. 57337
Jeffrey J. Lowe, Missouri Bar No. 35114
Sarah Shoemake Doles, Missouri Bar. 45747
CAREY DANIE & LOWE
8235 Forsyth Blvd., Suite 1100
St. Louis, Missouri 63105
Phone: 314-725-7700
Facsimile: 314-721-0905
Email: jlowe@careydanis.com
Email: across@careydanis.com
Email: sdoles@careydanis.com

Attorneys for Plaintiff on Exhibit A

/s/ M. Brandon Smith

M. Brandon Smith
West Virginia Bar No: 11751
C. Andrew Childers
Georgia Bar No: 124398
CHILDERS, SCHLUETER & SMITH, LLC
1932 North Druid Hills Road, Suite 100
Atlanta, Georgia 30319
(404) 419-9500 – telephone
(404) 419-9501 – facsimile
bsmith@cssfirm.com
achilders@cssfirm.com

Attorneys for Plaintiffs on Exhibit B

s/ Frank E. Piscitelli, Jr.

Frank E. Piscitelli, Jr. (0062128)
PISCITELLI LAW FIRM
6151 Wilson Mills Road, Suite 110
Cleveland, Ohio 44143
216.931.7000 Telephone
216.931.9925 Facsimile
frank@feplaw.com

Attorney for Plaintiffs on Exhibit C

/s/ Richard J. Plezia

Richard J. Plezia
Texas Bar Number: 16072800
Mississippi Bar Number: 101325
Georgia Bar Number: 142215
RICHARD J. PLEZIA & ASSOCIATES
11200 Westheimer, Suite 620
Houston, Texas 77042
Telephone: 713-800-1151
Facsimile: 281-602-7735

Attorney for Plaintiff on Exhibit D

/s/ Andrew F. Sullo

Andrew F. Sullo
Texas Bar No. 24026218
SULLO & SULLO, LLP
2020 Southwest Fwy. Suite 300
Houston, Tx 77098
713-839-9026
Facsimile: 713-335-1784
asullo@sullolaw.com

Attorney for Plaintiffs on Exhibit E

/s/ Ted J. Tanenbaum

TED J. TANENBAUM
One Old Country Road
Suite 318
Carle Place, NY 11514

Attorney for Plaintiff on Exhibit F

Dated: May 25, 2017

EXHIBIT A – CAREY DANIS & LOWE

CIVIL ACTION NUMBER (listed numerically in ascending order)	CASE NAME
2:14-cv-22014	Linda Herbert v. C.R. Bard, Inc., et al.

EXHIBIT B – CHILDERS, SCHLUETER & SMITH, LLC

CIVIL ACTION NUMBER (listed numerically in ascending order)	CASE NAME
2:13-cv-24071	Deborah Merritt and James Merritt v. C.R. Bard, Inc., et al.

EXHIBIT C – PISCITELLI LAW FIRM

CIVIL ACTION NUMBER (listed numerically in ascending order)	CASE NAME
2:13-cv-01225	Kim Dotson and Terry Dotson v. C.R. Bard, Inc., et al.

EXHIBIT D – RICHARD J PLEZIA & ASSOCIATES

CIVIL ACTION NUMBER (listed numerically in ascending order)	CASE NAME
2:15-cv-03825	Glenda Stafford v. C.R. Bard, Inc., et al.

EXHIBIT E– SULLO & SULLO, LLP

CIVIL ACTION NUMBER (listed numerically in ascending order)	CASE NAME
2:13-cv-13498	Leslie G. Calloway and James D. Calloway v. C.R. Bard, Inc., et al.

EXHIBIT F – TED J TANENBAUM, PC

CIVIL ACTION NUMBER (listed numerically in ascending order)	CASE NAME
2:15-cv-03491	Sandra Orozco v. C.R. Bard, Inc., et al.

CERTIFICATE OF SERVICE

I hereby certify that on May 25, 2017, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system which will send notification of such filing to the CM/ECF participants registered to receive service in these member cases.

/s/ Richard B. North, Jr.